

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DIST. COURT
BRUNSWICK DIV.

2005 JUL -8 A 11: 44

REY DAVID VARGAS,

Petitioner,

vs.

CLERK *[Signature]*
SO. DIST. OF GA.

CIVIL ACTION NO.: CV205-131

JAMES LANIER, Warden, Wayne
State Prison; MILTON E. NIX, JR.,
Chairman, State Board of Pardons and
Paroles, and JAMES E. DONALD,
Commissioner, Georgia Department
of Corrections,

Respondents.

ORDER

Petitioner has moved this Court to issue a Temporary Restraining Order in his action for habeas relief brought pursuant to 28 U.S.C. § 2241. (Doc. 2.) He requests that the Court issue an Order "enjoining the retroactive enforcement of the continued, substantially extended time-to-serve policy . . . against the Petitioner. . . ." He also seeks his immediate release on parole. In the absence of a showing of an exceptional circumstance wherein there is the possibility of irreparable injury, the Court is not inclined at this juncture to issue a Restraining Order. Petitioner has made no such showing of the likelihood of irreparable injury so as to suggest the necessity for the entry of a restraining order at this time. Petitioner's Motion for issuance of a Temporary Restraining Order is hereby **DENIED**.

SO ORDERED, this 8th day of July, 2005.

[Signature]
JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA